



## **POLICY TITLE: SMOKE FREE POLICY**

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| <b>RELATED POLICIES:</b>     | Disciplinary Policy<br>Member Protection Policy          |
| <b>RESPONSIBLE OFFICERS:</b> | Events Coordinator<br>Education and Training Coordinator |
| <b>AUTHORITY:</b>            | Chief Executive Officer                                  |
| <b>APPLICABLE FORMS:</b>     | Nil  |
| <b>APPROVED:</b>             | October, 2014  |
| <b>NEXT REVIEW DATE:</b>     | October, 2015  |

## **1. PHILOSOPHY**

- 1.1. Bowls Australia (**BA**) is the peak body responsible for the sport of bowls in Australia and recognises the importance of health and fitness. BA recognises that exposure of non-smokers to environmental tobacco smoke is irritating and hazardous to health and that non-smokers should be protected. Legislation and the legal duty of care also provide clear reasons to have a smoke-free organisation. Under common law BA has a legal duty to ensure that employees, visitors and Members are not exposed to potentially harmful situations. Occupational health and safety legislation requires employers keep workplaces they are in charge of safe and without risk to the health of any person. BA also recognises that outdoor smoke-free areas help to reduce cigarette-butt litter and provide a substantial cost saving through reduced clean-up costs and reduced fire risk. Accordingly, the following Policy has been developed by BA to enable players, coaches, team managers and all other officials and spectators to participate in the game of bowls in a smoke-free, healthy and safe environment.

## **2. INTERPRETATION**

- 2.1. Unless the context otherwise requires, the terms “controlling body”, “the green”, “the bank” and “the end” shall have the same meaning as in the *Laws of the Sport of Bowls in Australia*.

## **3. APPLICATION**

- 3.1. Under rule 20.1 of the BA Constitution, this Policy is binding on all Members and has the same effect as a provision of the BA Constitution. This Policy also applies to all employees, visitors and contractors of BA.

## **4. SMOKE-FREE AREAS**

- 4.1. The following areas shall be smoke-free at all times:

- 4.1.1. the green;
- 4.1.2. the bank;
- 4.1.3. all indoor areas;
- 4.1.4. all covered and enclosed outdoor areas;
- 4.1.5. all outdoor dining areas;
- 4.1.6. all al-fresco dining areas; and
- 4.1.7. within seven (7) metres of any building entrance.

- 4.2. For the avoidance of doubt, clause 4.1 shall apply to any player, umpire, measurer, law umpire, Member, visitor, spectator or any other person, whether or not acting in an official BA capacity.

- 4.3. In addition to the requirements under clause 4(1), all outdoor areas shall be smoke-free for the duration of any event held exclusively for children under the age of 18.

- 4.4. For the avoidance of doubt, subject to clause (3), smoking at any BA sanctioned event, including social events, shall only be permitted in designated outdoor smoking areas.

- 4.5. No person acting in any BA capacity shall smoke in a vehicle if a child under the age of 18 is present at the time.

## **5. PENALTIES**

- 5.1. The following penalties shall apply to any Member or other person found to be in breach of clause 4 of this Policy.

### **5.1.1. First Offence**

- 5.1.1.1. The person will be advised of the Policy and the requirement to adhere to its contents.

### **5.1.2. Subsequent Offence(s)**

- 5.1.2.1. The person will be given an official warning by the Controlling Body.
- 5.1.2.2. In respect of the person or the person's team, failure to comply with the Policy may result in a forfeit of the game(s) in question from the time of the subsequent offence, to be applied at the sole discretion of the Controlling Body, in accordance with the Laws of the Sport of Bowls in Australia; or
- 5.1.2.3. If the offender is an independent party (not associated with a person or a team participating in the game then in play), then the Controlling Body advises the licensee to take appropriate action.

### **5.1.3. Repeated or Flagrant Breaches**

- 5.1.3.1. If a Member or other person repeatedly or flagrantly breaches this Policy they may be referred to the BA Jury of Appeal.
- 5.1.3.2. For the avoidance of doubt, any penalty imposed under this Policy by the Jury of Appeal shall be final and is not subject to appeal under the BA Constitution or any other policy of BA.

## **6. REPORTING SMOKING**

- 6.1. Any person may report an incident if they feel there has been a breach of this Policy by a person or persons.
- 6.2. In the first instance, complaints should be reported to the Controlling Body.
- 6.3. If a complaint relates to:
  - 6.3.1. An incident or incidents that occurred at the club level or people operating at the club level, the complaint should be reported to and handled by the relevant club in accordance with this Policy; or
  - 6.3.2. An incident or incidents that occurred at the state level or people operating at the state level, the complaint should be reported to and handled by the relevant club in accordance with this Policy.
  - 6.3.3. An incident or incidents that occur at the national level, as well as repeated breaches of this Policy under clause 5, will be dealt with by BA as the national body.